

## ESTABLISHMENT OF NATIONAL GUARD

*Agreement signed at Managua December 22, 1927*

*Entered into force December 22, 1927*

*Terminated January 2, 1933*<sup>1</sup>

1927 For. Rel. (III) 434

Whereas the Republic of Nicaragua is desirous of preserving internal peace and order and the security of individual rights, and is desirous of carrying out plans for the maintenance of domestic tranquillity and the promotion of the prosperity of the Republic and its people;

And whereas the assistance and co-operation of the Government of the United States is deemed essential to an early realization of the measures to be adopted;

And whereas the United States is in full sympathy with these aims and objects of the Republic and is desirous of contributing in all proper ways to their attainment the undersigned duly authorized thereto by their respective Governments have agreed as follows:

### I

The Republic of Nicaragua undertakes to create without delay an efficient constabulary to be known as the *Guardia Nacional de Nicaragua*, urban and rural composed of native Nicaraguans, the strength of which and the amounts to be expended for pay, rations, and expenses of operation, et cetera, shall be as set forth in the following table:

<i>Commissioned Personnel</i>		<i>Per annum</i> \$ Gold
1 Brigadier General . . . . .		3,000.00
1 Colonel, Chief of Staff . . . . .		2,500.00
3 Colonels (Line) at \$2,400.00 per annum . . . . .		7,200.00
1 Colonel, Quartermaster . . . . .		2,400.00
1 Colonel, Medical . . . . .		2,400.00
4 Majors (Line) at \$2,100.00 per annum . . . . .		8,400.00
1 Major, Paymaster . . . . .		2,100.00
1 Major, General Headquarters Inspector . . . . .		2,100.00
1 Major, Law Officer . . . . .		2,100.00
2 Majors, Medical, at \$2,100.00 per annum . . . . .		4,200.00
10 Captains, at \$1,800.00 per annum . . . . .		18,000.00
2 Captains, Medical, at \$1,800.00 per annum . . . . .		3,600.00

<sup>1</sup> Following withdrawal of American troops.

*Commissioned Personnel—Continued*

	<i>Per annum \$ Gold</i>
20 First Lieutenants, at \$1,200.00 per annum . . . . .	24,000.00
2 First Lieutenants, Medical, at \$1,200.00 per annum . . . . .	2,400.00
20 Second Lieutenants, at \$900.00 per annum . . . . .	18,000.00
3 Second Lieutenants, Medical, at \$900.00 per annum . . . . .	2,700.00
20 Student Officers (Cadets), at \$600.00 per annum . . . . .	12,000.00
<hr/> 93	<hr/> \$117,100.00

*Enlisted Personnel*

	<i>Per annum \$ Gold</i>
4 Sergeants Major, at \$40.00 per month . . . . .	1,920.00
10 First Sergeants, at \$35.00 per month . . . . .	4,200.00
10 Q. M. Sergeants, at \$30.00 per month . . . . .	3,600.00
60 Sergeants, at \$25.00 per month . . . . .	18,000.00
120 Corporals, at \$18.00 per month . . . . .	25,920.00
20 Field Musics, at \$14.00 per month . . . . .	3,360.00
840 Privates, at \$12.00 per month . . . . .	120,960.00
<hr/> 1,064	<hr/> \$177,960.00

*Band*

	<i>Per annum \$ Gold</i>
1 Leader . . . . .	1,200.00
1 Assistant Leader . . . . .	900.00
10 Musicians, 1st class, at \$30.00 per month . . . . .	3,600.00
10 Musicians, 2nd class, at \$25.00 per month . . . . .	3,000.00
15 Musicians, 3rd class, at \$20.00 per month . . . . .	3,600.00
<hr/> 37	<hr/> \$12,300.00

*Enlisted Medical Personnel*

	<i>Per annum \$ Gold</i>
1 First Sergeant, at \$35.00 per month . . . . .	420.00
4 Sergeants, at \$25.00 per month . . . . .	1,200.00
20 Corporals, at \$18.00 per month . . . . .	4,320.00
10 Privates, at \$12.00 per month . . . . .	1,440.00
<hr/> 35	<hr/> \$7,380.00

*Operations and Maintenance*

Civil employees; uniforms and clothing; Arms equipment and target practice; remounts and forage; Motor vehicles and maintenance; repairs and replacements; Transportation of Supplies and Troops; Maps, stationery and office supplies; Intelligence service; rent, repairs and construction of barracks; Gasoline, kerosene; Lights; Tools and miscellaneous expenditures for operations and maintenance of the Constabulary . . . . .	\$200,000.00
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*Rations*

Expenses of procuring and preparing rations for 1136 enlisted at \$0.30 per diem . . . . .	\$124,392.00
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*Prisons and Penitentiaries*

Operation and Maintenance . . . . .	\$40,000.00
Medical Supplies and Maintenance of Constabulary Hospitals, Prison Dispensaries, etc . . . . .	\$10,000.00
<hr/> GRAND TOTAL . . . . .	<hr/> \$689,132.00

The foregoing provisions shall be regarded as the minimum requirements for the *Guardia Nacional de Nicaragua*. If the condition of the Nicaraguan Government's finances shall so warrant, the strength of the *Guardia Nacional*, commissioned and enlisted, and the expenses thereof may be increased upon the recommendation of the Chief of the *Guardia Nacional* and upon the consent in writing of the President of Nicaragua.

If the condition of the Nicaraguan Government's finances shall so warrant a suitable Coast Guard and a suitable Aviation Unit may upon the recommendation of the Chief of the *Guardia Nacional de Nicaragua* and upon the consent in writing of the President of Nicaragua be made a part of the *Guardia Nacional de Nicaragua*, similarly officered and manned with appropriate ranks and subject in the same manner to regulations and discipline as provided herein for the personnel of the *Guardia Nacional de Nicaragua*.

## II

The *Guardia Nacional de Nicaragua* shall be considered the sole military and police force of the Republic, clothed with full power to preserve domestic peace and the security of individual rights. It shall have control of arms and ammunition, military supplies and supervision of the traffic therein throughout the Republic. It shall have control of all fortifications, barracks, buildings, grounds, prisons, penitentiaries, vessels, and other government property which were formerly assigned to or under the control of the Army, Navy and Police Forces of the Republic. It shall be subject only to the direction of the President of Nicaragua; all other officials desiring the services of the *Guardia Nacional de Nicaragua* shall be required to submit requests through the nearest official of that organization. The Guard of Honor for the Palace of the President shall be a company of selected men and officers from the personnel of the *Guardia Nacional*, and will wear distinctive insignia while employed on this service.

## III

All matters of recruiting, appointment, instruction, training, promotion, examination, discipline, operation of troops, clothing, rations, arms and equipment, quarters and administration, shall be under the jurisdiction of the Chief of the *Guardia Nacional*.

## IV

Rules and regulations for the administration and discipline of the *Guardia Nacional de Nicaragua*, Prisons and Penitentiaries, shall be issued by the Chief of the *Guardia Nacional* after being approved by the President of Nicaragua. Infraction of these rules and regulations by members of the *Guardia Nacional* may be punished by arrest and imprisonment, suspension from duty without pay, forfeiture of pay, or dismissal, under regulations

promulgated by the Chief of the *Guardia Nacional* and approved by the President of Nicaragua.

## V

Other offenses committed by members of the *Guardia Nacional de Nicaragua* shall be investigated by officers of the *Guardia Nacional* as directed by the Chief of the *Guardia Nacional*. If it should appear upon investigation that an offense has been committed, the offender will be turned over to the civil authorities.

## VI

Courts-martial constituted under the rules and regulations of the Chief of the *Guardia Nacional* may try native Nicaraguan officers and enlisted men of the *Guardia* for infraction of the rules and regulations. The findings of the courts-martial of the *Guardia Nacional* after approval of the Chief are final, and not subject to appeal or review except by the Supreme Court of Nicaragua and then, only in questions of excess of power or questions of jurisdiction.

## VII

Persons violating the Regulations (if there is no civil law) or the Laws (if there is a civil law) governing traffic in arms, ammunition and military stores, shall be punished by a fine of from fifty to one thousand cordobas or imprisonment of from ninety days to five years, or both; for which purpose the Government of Nicaragua will present to Congress a project of law to amend the criminal law, in the sense indicated.

## VIII

The *Guardia Nacional de Nicaragua* shall be under the control of the President of Nicaragua and all orders from him pertaining to the *Guardia Nacional* shall be delivered to the Chief thereof. All other civil officials desiring protection or the services of the *Guardia Nacional* will make application to the senior officer of the *Guardia Nacional* in that locality.

## IX

An adequate amount as provided in Article I of this Agreement shall be appropriated annually to defray the expenses for pay, allowances, equipment, uniforms, transportation, administration and other current expenses of the *Guardia Nacional de Nicaragua*. Allotments for the various needs of the *Guardia Nacional* shall be made from this sum by the Chief of the *Guardia Nacional*.

## X

Reports of expenditures shall be made by the Chief of the *Guardia Nacional* as directed by the President of Nicaragua and audited in accordance with the law.

Savings effected under any title may be expended under any other title upon written approval of the Chief of the *Guardia Nacional*.

## XI

The laws necessary to make effective the above provisions shall be submitted to the legislative body of Nicaragua.

## XII

In consideration of the foregoing the Government of the United States in virtue of authority conferred on the President by the Act of Congress approved May 19, 1926,<sup>2</sup> entitled "An Act to authorize the President to detail officers and enlisted men of the United States Army, Navy and Marine Corps to assist the governments of the Latin-American Republics in military and naval matters" undertakes to detail officers and enlisted men of the United States Navy and Marine Corps to assist the Government of Nicaragua in the organizing and training of a constabulary as herein provided.

All American officers serving with the *Guardia Nacional* of Nicaragua shall be appointed from personnel of the United States Navy and Marine Corps by the President of Nicaragua upon nomination of the President of the United States. They will be replaced by Nicaraguans when the latter have successfully completed the course of instructions prescribed by the Chief of the *Guardia Nacional de Nicaragua* and have shown by their conduct and examination that they are fit for command.

Officers and enlisted men of the United States Navy and Marine Corps serving with the *Guardia Nacional* will not be tried by Nicaraguan civil courts or courts-martial but will be subject to trial by court-martial under the laws of the United States for the government of the Navy.

IN WITNESS WHEREOF, the undersigned have hereunto signed their names and affixed their seals in duplicate, in the city of Managua, this twenty-second day of December, 1927.

DANA G. MUNRO	[SEAL]
CARLOS CUADRA PASOS	[SEAL]

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<sup>2</sup> 44 Stat. 565.